

Notice of Allowability

Application No.

10/634,488

Applicant(s)

ADDISON, EDWIN

Examiner

Art Unit

Wilbert L. Starks, Jr.

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 08/05/2003.
2. ☒ The allowed claim(s) is/are 1.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Reasons For Allowance

1. Claim 1 is allowed.

2. The following is an Examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fails to teach the claimed invention of Applicant's version of a "Whole Cell Computer" (WCC.) Specifically, independent claim 1 discloses a parallel WCC computing node that contains no central processing unit; contains a cache memory for storing instructions; contains instructions that cause operands to cross "membrane" boundaries; and contains instructions that respond to "ligands."

The closest prior art of Xu et al. (U.S. Patent Number 4,975,834 A; dated 04 DEC 1990; class 712; subclass 028) teaches a "Whole Cell Computer" but fails to teach or suggest a parallel WCC computing node that contains no central processing unit; contains a cache memory for storing instructions; contains instructions that cause operands to cross "membrane" boundaries; and contains instructions that respond to "ligands." To the extent that these features are not taught in the prior art of record, the present case is found to be allowable over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

- A. Jordan (U.S. Patent Number 6,733,743 B2; dated 11 MAY 2004; class 424; subclass 001.49) discloses methods to impair hematologic cancer progenitor cells and compounds related thereto.
- B. Jarrell et al. (U.S. Patent Number 6,358,712 B1; dated 19 MAR 2002; class 435; subclass 091.1) discloses ordered gene assembly.
- C. Chan (U.S. Patent Number 6,355,420 B1; dated 12 MAR 2002; class 435; subclass 006) discloses methods and products for analyzing polymers.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Wilbert L. Starks, Jr. whose telephone number is (571) 272-3691.

Alternatively, inquiries may be directed to the following:

S. P. E. Anthony Knight (571) 272-3080

Official (FAX) (571) 273-8300

WLS

06 February 2006

A handwritten signature in black ink, appearing to read "Wilbert L. Starks, Jr.", written diagonally across the page.

Wilbert L. Starks, Jr.
Primary Examiner
Art Unit - 2121